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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,691	04/13/2004	Takashi Noguchi	OKI 419	5003

7590 12/05/2005

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EXAMINER

NGUYEN, JOSEPH H

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/822,691	Applicant(s) NOGUCHI, TAKASHI	
	Examiner Joseph Nguyen	Art Unit 2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 33-40 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-40 is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14, 16-20, 34 and 36 is/are rejected.
- 7) ☒ Claim(s) 10, 15, 33 and 35 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/22/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-9, 14, 17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Urushima (US 6,791,195).

Regarding claims 1-2 and 20, Urushima discloses in figure 6 a heat radiation structure of a semiconductor device comprising a substrate 14 (col. 18, line 16) having on a surface thereof, a first area on which the semiconductor device 3 is mounted, and a second area which surrounds the first area; and the semiconductor device having a first surface and a second surface opposite to the first surface, the second surface having a periphery, the semiconductor device additionally having a plurality of terminals 21 (col. 15, line 14) provided on the first surface, wherein the semiconductor device is mounted on the substrate in such a manner that the first surface is opposite to the surface of the substrate, and wherein a first heat radiating film (left and right side portions of elements 30) is disposed on the second area of the substrate, and a second heat radiating film (central portion of element 30) is disposed on the second surface of

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the semiconductor device but does not extend beyond the periphery of the second surface with the second heat radiating film 30 being spaced away from the first heat radiating film. It is noted that element 14 is an interposer, which can function as substrate.

Regarding claims 3 and 5, Urushima discloses in figure 6 the substrate 14 is provided with external electrodes 31 connected to an external board, and the external electrodes 31 formed on the back of the substrate.

Regarding claim 6, Urushima discloses in figure 6 wirings 15 are formed on the surface of the substrate 14, and the terminals 21 of the semiconductor device and the wirings of the substrate are electrically connected to one another.

Regarding claim 7, Urushima discloses in figure 6 the semiconductor device includes a semiconductor element 3 formed with an electronic circuit (i.e. elements 16, 21) and a resin layer 22 formed on the semiconductor element and the terminals 21 are formed on the resin layer. It is noted that element 22 functions to protect the surface of the semiconductor device 3 (col. 21, lines 62-63). As such, element 22 can function as a resin.

Regarding claim 8, Urushima discloses in figure 6 the surfaces of the first and second heat radiating films 30 are exposed.

Regarding claim 9, Urushima discloses in figure 6 wirings 15 are formed on the surface of the substrate 14, and the first heat radiating film 30 is formed so as to cover the wirings.

Regarding claims 14 and 17, Urushima discloses in figure 6 the first and second heat radiating films 30 comprise a common material, and a thermal emission film having thermal radiation is used for the first and second heat radiating films.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over figure 6 of Urushima in view of figure 11 of Urushima.

Regarding claim 4, Urushima discloses in figure 6 the substrate 14 is provided with external electrodes 31 connected to an external board. Urushima does not disclose in figure 6 the semiconductor device is mounted on the substrate in plural form. However, Urushima discloses in figure 11A the semiconductor device 3 is mounted on the substrate in plural form. In view of such teaching, it would have been obvious at the time of the present invention to modify figure 6 of Urushima by having the semiconductor device mounted on the substrate in plural form to utilize the improved structure of the semiconductor device to form a multi chip package.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urushima in view of Chu et al. (US 5,168,348).

Regarding claim 11, Urushima discloses in figure 6 substantially all the structure set forth in the claimed invention except openings defined in the second heat radiating film and parts of the second surface of the semiconductor device exposed through the openings. However, Chu et al. discloses in figure 3 openings (holes between elements 114) defined in the second heat radiating film 114 (col. 5, lines 8-11) and parts of the second surface of the semiconductor device 102 (col. 4, line 64) exposed through the openings. In view of such teaching, it would have been obvious at the time the invention was made to modify Urushima et al. by having openings defined in the second heat radiating film and parts of the second surface of the semiconductor device exposed through the openings to enhance convective cooling performance on the semiconductor device (col. 3, lines 28-30, Chu et al.).

Regarding claim 12, Chu et al. discloses in figure 3 a seal 112 (col. 5, line 5) is applied onto the second surface of the semiconductor device 102, openings are defined in the second heat radiating film 114, and openings are provided such that the seal is exposed. It is noted that element 112 constitutes a similar structure as the claimed seal and therefore can function as a seal.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Urushima et al.

Regarding claim 13, Urushima et al. discloses on figure 6 substantially all the structure set forth in the claimed invention except the thickness of each of the first and second heat radiating films being from 30 μm to 200 μm . However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Urushima et al. by having the thickness of each of the first and second heat radiating films being from 30 μm to 200 μm , since it has been held that where the general conditions of a claim are disclosed in the prior art discovering the optimum or working ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

Claims 16, 18-19, 34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urushima in view of Aoki et al. (US 2003/0037866).

Regarding claim 16, Urushima et al. discloses on figure 6 substantially all the structure set forth in the claimed invention except a film having an insulating property used for the first and second heat radiating film. However, Aoki et al teaches in para [0021], lines 1-6 the heat radiating film can be formed of silica alumina ceramic, which comprises an insulating property. In view of such teaching, it would have been obvious at the time the invention was made to modify Urushima et al. by having a film having an insulating property used for the first and second heat radiating film to effectively form a semiconductor device package.

Regarding claims 18, 34 and 36, Aoki et al. teaches in para [0021], lines 1-6 the material for the first and second heat radiating is ceramic.

Regarding claim 19, Aoki et al. teaches in para [0021], lines 1-6 the material for the first and second heat radiating is silica alumina ceramic.

Allowable Subject Matter

Claims 10, 15, 33 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The reference (s) of record do not teach or suggest, either singularly or in combination at least the limitation of "openings are defined in the first heat radiating film, and parts of the surface of the substrate are exposed through the openings" for claim 10; "the first heat radiating film and the second heat radiating film are different in thermal expansion coefficient" for claim 15; "the second heat radiating film has a peripheral edge that is exposed to air" for claim 33; "the heat radiating film has a peripheral edge that is exposed to air" for claim 35.

Claims 37-40 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The reference (s) of record do not teach or suggest, either singularly or in combination at least the limitation of " a second heat radiating film disposed on the second surface of the semiconductor device without extending beyond the periphery of

the second surface and without overlapping the first heat radiating film, the second heat radiating film having a peripheral edge that is exposed to air” for claim 37.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

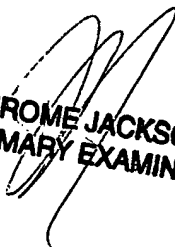
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (571) 272-1734. The examiner can normally be reached on Monday-Friday, 7:30 am- 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Parker can be reached on (571) 272-2298. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JN

November 28, 2005.


JEROME JACKSON
PRIMARY EXAMINER